

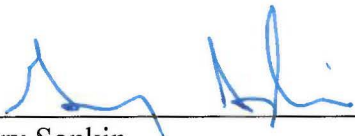
FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT5-34. Pesticide Worker Protection Standard: State Equivalency Determinations

1. **AUTHORITY.** To make a determination under Section 2(ee)(6) of the Federal Insecticide, Fungicide, and Rodenticide Act that use of a pesticide in compliance with a state worker protection regulation is consistent with the purposes of FIFRA and therefore, that such pesticide use would not result in use of a registered pesticide in a manner inconsistent with its labeling.
2. **TO WHOM DELEGATED.** Director, Land, Chemical, & Redevelopment Division.
3. **LIMITATIONS.**
  - a. This delegated authority is limited to determinations for use of a pesticide in compliance with a state worker protection regulation that is determined to provide protection equivalent to the provisions of the Worker Protection Standard, 40 C.F.R. Part 170.
  - b. This delegated authority applies only in those situations for which the LCARD director has made a finding of equivalency based on the guidance criteria issued by the Office of Chemical Safety and Pollution Prevention.
  - c. Any official exercising this authority must consult with the assistant administrator for OCSPP or designee and the assistant administrator for the Office of Enforcement and Compliance Assurance or designee prior to doing so.
  - d. Any official exercising this authority must obtain the prior concurrence of the director, Office of Enforcement and Compliance Assurance.
4. **REDELEGATION AUTHORITY.**
  - a. This authority may be redelegated to the branch chief level, or equivalent, and no further.
  - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

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5. **ADDITIONAL REFERENCES.** Section 2(ee)(6) of FIFRA.

  
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Gregory Sopkin  
Regional Administrator

  
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Date